

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

SANDRA WATERS-LEVY,

Plaintiff,

v.

Civil Action No: 1:11-cv-1192 GBL-IDD

**LAW OFFICES OF
SHAPIRO & BURSON, LLP**

Defendant.

**PLAINTIFF'S SECOND MOTION FOR ENLARGEMENT OF TIME TO
RESPOND TO DEFENDANT'S MOTION TO DISMISS**

COMES NOW the Plaintiff, by counsel, pursuant to Fed. R. Civ. P. 6(b) and 15 to move the Court to enlarge the time to respond to Defendant's Motion to Dismiss Counts III, IV and V (Docket No. 4) until Friday, January 27, 2012, with a proportionate enlargement of the time for Defendant's reply to be February 10, 2012.

Plaintiff was previously granted, and Defendant agreed to, an extension of time until January 24, 2012, with a reciprocal enlargement of Defendant's Reply date to February 7, 2012. Plaintiff had previously consented to a substantial enlargement of time for Defendant to respond to the Complaint. The Plaintiff's two attorneys who have had the principle responsibility for drafting the opposition to the pending Motion to Dismiss have had unexpected family emergencies that have caused them to be unavailable to finish the briefs for timely filing today. Attempts to reach Defendant's counsel to obtain his consent to this motion have been unsuccessful as of the time of the filing of this

motion.

In addition to working diligently in responding to the Motion to Dismiss in the above-styled action, the Plaintiff's co-counsel team represents other consumers in separate Eastern District of Virginia actions against the same defendant represented by the same attorney. (*Andrade, et al v. Shapiro & Burson, LLP*, 2:11-CV-523 RBS-DEM and *Moore v. Shapiro & Burson, LLP*, 4:11CV122 AWA-TEM). The issues raised in Defendant's Motion to Dismiss are complex and have required every bit of the extension already granted in order to adequately research, consider and address. Although there are three of these related cases against Shapiro & Burson that have many of the same facts and legal theories, each nonetheless has its own share of facts and legal theories presented in the respective motions to dismiss.

Extending the time in which the Plaintiff has to respond to the Motion to Dismiss will permit the Plaintiff to adequately address the Defendant's Motion. The Plaintiff's motion is occasioned by unforeseen medical emergencies in the families of the two attorneys with the principle responsibility for drafting and filing the responsive pleading. The extension is requested for good cause shown and not for a dilatory purpose, and otherwise will cause no legal prejudice to the Defendant. Therefore the Plaintiff moves that the court extend the time in which the Plaintiff must respond to the Defendant's Motion to Dismiss until January 27, 2012, with the Defendant's Reply due on February 10, 2012.

Respectfully submitted,

SANDRA WATERS-LEVY,

/s/

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CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of January 2012, I have electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification to the following:

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